

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2006-005346

04/04/2007

HONORABLE GLENN M. DAVIS

CLERK OF THE COURT  
D. Pluff  
Deputy

JAMES M GARTH, et al.

RONALD K BLAKE

v.

DAN OLSEN, et al.

C DAVID MARTINEZ

ALTERNATIVE DISPUTE  
RESOLUTION - CCC

MINUTE ENTRY

The Court having received Plaintiffs' Joint Pretrial Memorandum and proposed Scheduling Order,

IT IS ORDERED setting a **STATUS AND SCHEDULING CONFERENCE on November 14, 2007 at 9:10 a.m. (10 minutes) in this division**, at which time the Court will address scheduling and other Trial related matters, all in accordance with the formal written Order signed by the Court on April 3, 2007, and entered (filed) by the Clerk on April 4, 2007.

Both counsel may appear telephonically with Plaintiff to initiate the conference call.

**HONORABLE GLENN M. DAVIS  
MARICOPA COUNTY SUPERIOR COURT  
EAST COURT BUILDING  
101 WEST JEFFERSON  
5th FLOOR, COURTROOM 513  
PHOENIX, AZ 85003  
602-506-3135 TEL**

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2006-005346

04/04/2007

The parties shall participate in a Mandatory Settlement Conference. This case is referred to the Court's Office of Alternative Dispute Resolution for the appointment of a judge pro tempore to conduct a Settlement Conference. Counsel and/or the parties will receive a minute entry from ADR appointing the judge pro tempore. Counsel and any "pro per" parties will contact the appointed judge pro tempore to arrange the date, time and location for the Settlement Conference. The judge pro tempore is requested to conduct a settlement conference not later than **November 1, 2007**. The Office of Alternative Dispute Resolution will not do the scheduling of the Settlement Conference so please do not contact that office.

IT IS ORDERED that the parties shall simultaneously submit confidential memoranda to the Judge Pro Tempore at least **5 days prior** to the date set for Settlement Conference.

**All counsel and their clients, or non-lawyer representatives who have full and complete authority to settle this case, shall personally appear and participate in good faith in this Settlement Conference, even if no settlement is expected.**

LEASE NOTE: **E-Courtroom Policies**

Courtroom ECB-513 is one of the new "e-courtrooms" and provides state of the art equipment for case presentation. Please note the following provisions:

The e-courtroom does not have a court reporter present. If you wish to have a court reporter present for the duration of your matter, you must notify the Court at least **48 hours prior** to the beginning of the matter

All equipment will be ready for your use when you arrive in the Court. If for some reason it isn't, please contact the staff for assistance.

**DO NOT ATTEMPT TO SET UP THE COURT EQUIPMENT BY YOURSELF.**

**ALSO, PLEASE DO NOT UNPLUG, MOVE, OR IN ANY WAY ALTER ANY OF THE EQUIPMENT, MICROPHONES, CAMERAS, ETC. IN THE COURTROOM.**

**ELECTRONIC ("E") COURTROOM**

A record of the proceedings may be made by videotape in lieu of a court reporter. (**See Notice below**) Should an official transcript be required, you may request that the Court prepare it. The party ordering the transcript must pay for it. With this new technology, a court reporter is likely not required and the parties are encouraged to experience the Court's video-recording system before requesting a court reporter.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2006-005346

04/04/2007

If a court reporter is required, a **WRITTEN REQUEST MUST BE RECEIVED** by the Court at least **48 hours prior** to the hearing.

**NOTICE**

**New Fee for Copies of Electronically Recorded Proceedings**

Effective Monday, January 27, 2003, a fee of \$20.00 will be charged for each copy of superior court proceedings digitally recorded and provided on compact Disc (CD) and for each copy of a superior court proceeding provided on videotape. The fee is due when the CD or videotape is picked up. Cash and in-state checks will be accepted for payment. Please make checks payable to: Clerk of the Superior Court.

Blank, unused CDs and videotapes will not be accepted in lieu of payment.

Beginning Monday, January 27, 2003, the pick up location for CD or videotape copies of superior court proceedings recorded in downtown Phoenix will be the court's Self Service Center located in the Law Library on the first floor of the East Court Building. Fees will be collected at the Self Service Center. Copies of superior court proceedings recorded at the court's Southeast Facility in Mesa and at the court's Northwest Facility in Surprise may be picked up, and fees paid, at the Self Service Centers at those locations.

Questions may be directed to Ken Crenshaw, Administrator, Electronic Records Services, 602-506-7100 or [kcrenshe@superiorcourt.maricopa.gov](mailto:kcrenshe@superiorcourt.maricopa.gov).

**Request for Daily Copy of Electronically Recorded Proceedings**

Obtain a form from the courtroom clerk or from the Self Service Center to request a daily copy of a court hearing or trial proceeding being conducted. Pay the applicable fee at the Self Service Center. Attach the receipt showing payment of fee and present both the receipt and the form to the courtroom clerk or bailiff. For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.

The proceeding will take place in the Superior Court's new "e-courtroom." A record of the proceedings may be made by videotape and CD in lieu of a court reporter. Should you want an unofficial copy of the proceedings, the Court will make a VHS videotape or "burn" a CD of the day's proceedings for a fee of \$20.00. If a CD or videotape is requested, please obtain a form from the courtroom clerk or from the Self Center to request a daily copy of a court hearing or trial proceeding being conducted. Pay the applicable fee **at the Self Service Center**. Attach the receipt showing payment of the fee and present both the receipt and the form to the courtroom clerk or bailiff. **For copies of hearings or trial proceedings recorded previously, please call**

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2006-005346

04/04/2007

**Electronic Records Services at 602-506-7100.** The CD-R disk may be viewed using Microsoft's Media Player or JAVS' CaseViewer. "CaseViewer" is available for free from Jefferson Audio Visual Systems at:

**<http://www.javs.com/downloads/programs.htm>**

Should an official transcript be required, you may request that the court prepare it. The party ordering the transcript must pay for it. With this new technology, a court reporter is likely not required and the parties are encouraged to experience the court's digital video recording system before requesting a court reporter. To request a transcript, call 602-506-7100 and provide the date of the proceeding, the case number, the case caption, if the transcript is for an appeal, and your name, address, and telephone number.

If a court reporter is required, the Court must receive a written request at least 48 hours before the commencement of the proceeding. Failure to timely request a court reporter will be deemed consent to proceed without a court reporter.

The Court suggests that counsel **PREPARE THE CASE FOR PRESENTATION** using the courtroom technology. To facilitate presentation of exhibits, counsel should consider having all documents (medical records, business records, photographs, etc.) that may be used in the case scanned in a non-proprietary format with the cost shared by the parties. It is suggested that the **DEPOSITIONS OF WITNESSES WHO MAY NOT BE AVAILABLE FOR TRIAL BE VIDEOTAPED.**

**AT THE FINAL PRETRIAL CONFERENCE OR ONE WEEK BEFORE TRIAL**, counsel shall make an appointment for themselves or their knowledgeable assistants to meet with the clerk of this division, **602-372-3182**, and present **all** exhibits for marking. The exhibits will be marked **numerically and serially** as they are listed in the pretrial statement - plaintiff's first, defendant's second. Duplicate exhibits will not be marked. Please advise the clerk, referring specifically to the pretrial statement, which exhibits may be marked directly in evidence.